

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

W.B. WILLIAMS,

Plaintiff,

Case No. 06-CV-15088

vs.

HON. GEORGE CARAM STEEH

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
(DOCUMENT # 11), DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT,
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Plaintiff W.B. Williams challenges the Social Security Administration's determination denying his application for disability insurance benefits. As provided by 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1(b)(2), the case was assigned to Magistrate Judge Majzoub for pre-trial proceedings.

The court has received Magistrate Judge Majzoub's report and recommendation, filed September 27, 2007, concerning the parties' cross-motions for summary judgment. The magistrate recommends that plaintiff's motion be denied, and defendant's motion be granted, for the reason that the record contained substantial evidence that plaintiff has a residual functional capacity allowing him to perform his past relevant work.

In Magistrate Majzoub's report and recommendation, the conclusion section clearly stated that objections were to be filed within 10 days of service of a copy thereof, citing 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2). However, no objections to the report and recommendation have been filed to date. The failure to file such objections waives a party's

right to further appeal. Howard v. Secretary of Health & Human Services, 932 F.2d 505 (6th Cir. 1991).

The court has considered the pleadings and the report and recommendation of the magistrate in this matter. For the reasons stated in the well-reasoned report and recommendation of Magistrate Judge Majzoub, plaintiff's motion for summary judgment is hereby DENIED and that of defendant is GRANTED. The court will enter a judgment consistent with this ruling.

IT IS SO ORDERED.

Dated: October 23, 2007

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 23, 2007, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk